IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 2704 OF 2007

Mohammed Harun Stovewala
@ Batteriwala and others. ... Applicants.

V/s.

State of Maharashtra. ... Respondent.

N.R.Bubna for the applicant.

S.S.Pednekar, APP for the State.

CORAM: V.C.DAGA, J.

DATED: 21st August 2007.

P.C.:

. Heard learned counsel for the applicant.

2. During the course of hearing, it is pointed out that on 16th June, 2007 the applicants could not remain present before the Court in Criminal Application Nos.21/2007 and 45/2007 in view of some communication gap between the applicant and his advocate appearing before the Sessions Court and, therefore, both applications were adjourned to 19th June, 2007 for dismissal. Accordingly, on 19th June, 2007, both applications came to be disposed of for want of prosecution.

3. Considering the reasons given, by consent of parties, order dated 19th June, 2007 is set aside. Both Criminal Application Nos.21/2007 and 45/2007 are restored to the file of the learned Sessions Judge, Malegaon, who shall hear and dispose of these applications on its own merits within two weeks from the date of receipt of copy of this order.

4. In the meanwhile, interim order, which was passed by the learned Sessions Judge shall operate till disposal of the applications.

5. Application is disposed of accordingly.

JUDGE